

110TH CONGRESS
1ST SESSION

H. R. 1263

To redeploy United States Armed Forces from the non-Kurdish areas of Iraq if certain security, political, and economic benchmarks relating to Iraq are not met, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2007

Mr. BERMAN introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Rules and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To redeploy United States Armed Forces from the non-Kurdish areas of Iraq if certain security, political, and economic benchmarks relating to Iraq are not met, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Iraq Benchmarks
5 Act”.

1 **SEC. 2. REDEPLOYMENT OF UNITED STATES ARMED**
2 **FORCES FROM THE NON-KURDISH AREAS OF**
3 **IRAQ.**

4 (a) REDEPLOYMENT OF ARMED FORCES FROM
5 IRAQ.—If the President is unable to make the determina-
6 tions described in section 3 subject to the deadlines speci-
7 fied in such section, or if a joint resolution described in
8 section 4 disapproving any such determination is enacted
9 into law, then the Secretary of Defense shall, not later
10 than 30 days after the applicable deadline specified in sec-
11 tion 3 or the date of the enactment of the joint resolution,
12 as the case may be, commence the redeployment of the
13 Armed Forces from the non-Kurdish areas of Iraq, and
14 complete such redeployment not later than 180 days after
15 the date of the commencement of such redeployment.

16 (b) PROHIBITION ON USE OF FUNDS TO CONTINUE
17 DEPLOYMENT OF ARMED FORCES IN IRAQ.—Except as
18 provided in subsection (c), funds appropriated or other-
19 wise made available under any provision of law may not
20 be obligated or expended to deploy or continue to deploy
21 members or units of the Armed Forces in the non-Kurdish
22 areas of Iraq after the conclusion of the 180-day period
23 for redeployment specified in subsection (a).

24 (c) EXCEPTIONS.—The Secretary of Defense may de-
25 ploy members of the Armed Forces in the non-Kurdish
26 areas of Iraq for purposes of—

1 (1) providing security for the United States
2 Embassy and other United States diplomatic facili-
3 ties in Iraq;

4 (2) engaging in limited operations, involving
5 less than 500 members of the Armed Forces, to kill
6 or capture members of al-Qaeda and other terrorist
7 organizations that pose a threat to the national se-
8 curity of the United States; and

9 (3) training members of the Iraqi Security
10 Forces.

11 **SEC. 3. DETERMINATIONS REGARDING THE ACHIEVEMENT**
12 **OF SECURITY, POLITICAL, AND ECONOMIC**
13 **BENCHMARKS ACCEPTED BY THE GOVERN-**
14 **MENT OF IRAQ.**

15 (a) DETERMINATIONS.—The determinations referred
16 to in section 2(a) are—

17 (1) a determination by the President on or be-
18 fore July 1, 2007, and every 90 days thereafter, that
19 the Government of Iraq—

20 (A) is delivering necessary Iraqi Security
21 Forces for Baghdad and protecting such Forces
22 from political interference;

23 (B) is intensifying efforts to build balanced
24 security forces throughout Iraq that provide
25 even-handed security for all Iraqis;

1 (C) has given United States Armed Forces
2 and Iraqi Security Forces the authority to pur-
3 sue all extremists, including Sunni insurgents
4 and Shiite militias;

5 (D) is making substantial progress in
6 meeting its commitment to pursue reconciliation
7 initiatives, including the enactment of a law to
8 provide for the equitable distribution of oil and
9 gas revenues, the enactment of a revised de-
10 Baathification law to provide for the meaningful
11 participation of Sunni Arabs at all levels of the
12 Government of Iraq, and the holding of provin-
13 cial elections; and

14 (E) is making substantial progress in pro-
15 viding the even-handed delivery of services and
16 resources to all Iraqis; and

17 (2) a determination by the President on or be-
18 fore October 1, 2007, and every 90 days thereafter,
19 that the Government of Iraq and United States
20 Armed Forces are making substantial progress in re-
21 ducing the level of sectarian violence in Iraq.

22 (b) TRANSMISSION TO CONGRESS.—The President
23 shall transmit any determination made under subsection
24 (a) to the Congress within three calendar days of making
25 such determination, along with a report in classified and

1 unclassified form detailing the basis for such determina-
2 tion.

3 **SEC. 4. JOINT RESOLUTION DISAPPROVING PRESIDENTIAL**
4 **DETERMINATION.**

5 (a) CONTENTS OF RESOLUTION.—For purposes of
6 this section, a joint resolution referred to in section 2(a)
7 is a joint resolution of the two Houses of Congress, which
8 does not contain a preamble, and the sole matter after
9 the resolving clause of which is as follows: “That the Con-
10 gress disapproves the determination of the President relat-
11 ing to _____ transmitted to the Congress pursuant to
12 section 3(b) of the Iraq Benchmarks Act on
13 _____.”, with the first blank space being filled with
14 a description of the applicable determination or determina-
15 tions and the second blank space being filled with the ap-
16 propriate date.

17 (b) INTRODUCTION OF RESOLUTION.—

18 (1) IN GENERAL.—A joint resolution described
19 in subsection (a) may be introduced at any time dur-
20 ing the 90-day period beginning on the date on
21 which the President transmits to Congress a deter-
22 mination or determinations described in section 3 in
23 accordance with an applicable deadline described in
24 such section. During the first 30 days of the 90-day
25 period specified in the preceding sentence, a joint

1 resolution will be considered to be a joint resolution
2 described in subsection (a) only if it is introduced in
3 the House of Representatives by the majority leader
4 or minority leader of the House or introduced in the
5 Senate by the majority leader or minority leader of
6 the Senate.

7 (2) LIMITATION.—After a committee reports, or
8 is discharged from further consideration of, a joint
9 resolution disapproving a determination or deter-
10 minations described in section 3 for an applicable
11 deadline described in such section it shall not be in
12 order to move to proceed to the consideration of an-
13 other joint resolution disapproving such determina-
14 tion or determinations in either House.

15 (c) REFERRAL TO COMMITTEES.—A joint resolution
16 described in subsection (a) introduced in the House of
17 Representatives shall be referred to the Committee on
18 Armed Services and a joint resolution described in sub-
19 section (a) introduced in the Senate shall be referred to
20 the Committee on Armed Services.

21 (d) DISCHARGE OF COMMITTEES.—If the committee
22 of either House to which a joint resolution described in
23 subsection (a) has been referred has not reported such
24 joint resolution at the end of 10 calendar days (excluding
25 Saturdays, Sundays, or legal holidays, except when the rel-

1 evant House is in session on such a day) after its introduc-
2 tion, such committee shall be discharged from further con-
3 sideration of such joint resolution, and such joint resolu-
4 tion shall be placed on the appropriate calendar of the rel-
5 evant House.

6 (e) FLOOR CONSIDERATION IN THE HOUSE OF REP-
7 RESENTATIVES AND SENATE.—

8 (1) IN GENERAL.—On or after the third cal-
9 endar day (excluding Saturdays, Sundays, or legal
10 holidays, except when the relevant House is in ses-
11 sion on such a day) after the date on which the com-
12 mittee to which a joint resolution described in sub-
13 section (a) is referred has reported, or has been dis-
14 charged from further consideration of, such a joint
15 resolution, it shall be in order for any Member of the
16 relevant House to move to proceed to the consider-
17 ation of the joint resolution. A Member of the rel-
18 evant House may make the motion only on the day
19 after the calendar day on which the Member an-
20 nounces to the relevant House the Member's inten-
21 tion to do so. Such motion shall be privileged and
22 shall not be debatable. The motion shall not be sub-
23 ject to amendment or to a motion to postpone. A
24 motion to reconsider the vote by which the motion
25 is agreed to shall not be in order. If a motion to pro-

1 ceed to the consideration of the joint resolution is
2 agreed to, the relevant House shall immediately pro-
3 ceed to consideration of the joint resolution which
4 shall remain the unfinished business until disposed
5 of.

6 (2) DEBATE.—Debate on a joint resolution de-
7 scribed in subsection (a) and on all debatable mo-
8 tions and appeals in connection therewith, shall be
9 limited to not more than 36 hours in the House of
10 Representatives and not more than 50 hours in the
11 Senate, which shall be divided equally between those
12 favoring and those opposing the joint resolution. An
13 amendment to the joint resolution shall not be in
14 order. A motion to further limit debate shall be in
15 order and shall not be debatable. A motion to table,
16 a motion to postpone, or a motion to recommit the
17 joint resolution shall not be in order. A motion to re-
18 consider the vote by which the joint resolution is
19 agreed to or disagreed to shall not be in order.

20 (3) APPEALS.—Appeals from the decisions of
21 the Chair to the procedure relating to a joint resolu-
22 tion described in subsection (a) shall be decided
23 without debate.

24 (f) CONSIDERATION BY THE OTHER HOUSE.—If, be-
25 fore the passage by one House of a joint resolution de-

1 scribed in subsection (a) of that House disapproving a de-
 2 termination or determinations described in section 3 for
 3 an applicable deadline described in such section, that
 4 House receives a joint resolution described in subsection
 5 (a) from the other House disapproving the same deter-
 6 mination or determinations, then the following procedures
 7 shall apply:

8 (1) The joint resolution of the other House
 9 shall not be referred to a committee and may not be
 10 considered in the House receiving it except in the
 11 case of final passage as provided in paragraph
 12 (2)(B).

13 (2) With respect to a joint resolution of the
 14 House receiving the joint resolution—

15 (A) the procedure in that House shall be
 16 the same as if no joint resolution had been re-
 17 ceived from the other House; but

18 (B) the vote on final passage shall be on
 19 the joint resolution of the other House.

20 (3) Upon disposition of the joint resolution re-
 21 ceived from the other House, it shall no longer be
 22 in order to consider the joint resolution that origi-
 23 nated in the receiving House.

24 (g) RULES OF HOUSE OF REPRESENTATIVES AND
 25 SENATE.—This section is enacted by Congress—

1 (1) as an exercise of the rulemaking power of
2 the House of Representatives and the Senate, re-
3 spectively, and as such is deemed a part of the rules
4 of each House, respectively, and such procedures su-
5 persede other rules only to the extent that they are
6 inconsistent with such other rules; and

7 (2) with the full recognition of the constitu-
8 tional right of either House to change the rules (so
9 far as relating to the procedures of that House) at
10 any time, in the same manner, and to the same ex-
11 tent as any other rule of that House.

12 **SEC. 5. MANDATORY CONGRESSIONAL APPROVAL OF NEW**
13 **PLAN TO STABILIZE IRAQ.**

14 (a) IN GENERAL.—If the President proposes a new
15 plan to stabilize Iraq after the date of the enactment of
16 this Act and prior to the redeployment of United States
17 Armed Forces from Iraq, then—

18 (1) the President shall promptly transmit a
19 copy of such plan to Congress; and

20 (2) the President may implement such plan
21 only if a joint resolution described in subsection (b)
22 approving such plan is enacted into law.

23 (b) JOINT RESOLUTION APPROVING NEW PLAN TO
24 STABILIZE IRAQ.—

1 (1) CONTENTS OF JOINT RESOLUTION.—For
2 purposes of this section, a joint resolution referred
3 to in subsection (a) is a joint resolution of the two
4 Houses of Congress, the sole matter after the resolv-
5 ing clause of which is as follows: “That the Congress
6 approves the plan to stabilize Iraq transmitted by
7 the President to the Congress pursuant to section
8 5(a)(1) of the Iraq Benchmarks Act
9 on_____.”, with the blank space being filled
10 with the appropriate date.

11 (2) PROCEDURES IN THE HOUSE OF REP-
12 RESENTATIVES AND SENATE.—The procedures de-
13 scribed in subsections (b) through (f) of section 4
14 shall apply to a joint resolution described in para-
15 graph (1) in the same manner and to the same ex-
16 tent as such procedures apply to a joint resolution
17 described in section 4(a).

18 **SEC. 6. DEFINITION.**

19 As used in this Act, the term “Armed Forces” has
20 the meaning given the term in section 101(a)(4) of title
21 10, United States Code.

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